UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAY 13 2014

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Article Number: 7012 3460 0002 1646 3043

Mr. Jeffrey E. Trad, P.E.
Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway, 12th Floor
Albany, New York 12233-7013

RECEIVED
MAY 16 2014
REMEDIAL BUREAU E

Re: American Bag and Metal Company, Inc. Offsite, Syracuse, New York Approval for Cleanup and Disposal of PCB Remediation Waste under 40 CFR §761.61(a), for Characterization and Verification Sampling under 40 CFR §761.61(c), and for Alternate Decontamination and Sampling under 40 CFR§761.79(h)

Dear Mr. Trad:

This is in response to the March 14, 2014 document entitled "Self-Implementing Onsite Cleanup and Disposal of PCB Remediation Waste" (Notification), submitted by MACTEC Engineering and Consulting, P.C. on behalf of the New York State Department of Environmental Conservation (NYSDEC). The Notification concerns the NYSDEC's plan to address polychlorinated biphenyl (PCB) contamination on three parcels immediately adjacent to the former American Bag and Metal Company, Inc., located at 400 Spencer Street in Syracuse, New York. The Notification was amended through submittal of additional information in MACTEC's electronic correspondence dated April 15, 2014. These documents will be referred to as the "Application". The PCB contamination is considered to be PCB remediation waste that exceeds the cleanup levels under the federal PCB regulations at 40 CFR §761.61(a)(4).

With the exception of the characterization and verification sampling requirements under Subparts N and O of 40 CFR Part 761, the proposed removal of the PCB remediation waste meets the self-implementing cleanup and disposal requirements under 40 CFR §761.61(a). Based on characterization sampling, the United States Environmental Protection Agency (EPA) finds that this sampling, in this proposed remediation context, is acceptable for delineating areas of the PCB remediation waste to be addressed. The EPA also finds that NYSDEC's plan for verification sampling is acceptable for purposes of determining compliance with the unrestricted PCB cleanup standard for high occupancy areas of 1 part per million.

The Application also describes a request for approval, under 40 CFR §761.79(h), of a decontamination standard of 10 micrograms per 100 square centimeters (i.e., the unrestricted use standard for non-porous surfaces previously in contact with liquid PCBs) for decontaminating equipment. The decontamination procedure will consist of a wash using an aqueous-based solvent known as CAPSUR, followed by a high-pressure, hot-water rinse. Wipe samples will be collected to verify that the aforementioned decontamination standard has been attained.

Based on the information provided in the Application, the EPA finds that the proposed decontamination procedure and standard are acceptable for performing the decontamination activities as described above.

EPA hereby approves NYSDEC's Application, and it may proceed with the cleanup and disposal under 40 CFR §§761.61(a) and (c), as well as decontamination under 40 CFR §761.79(h), subject to this Approval. This Approval also constitutes an order under the authority of Section 6 of the Toxic Substances Control Act, 15 U.S.C. §2605.

Please note that this Approval does not constitute a determination by EPA that the transporters or the disposal facilities selected by the NYSDEC are authorized to conduct the activities set forth in the Application. The NYSDEC is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct any such activities in accordance with all applicable federal, state and local statutes and regulations.

Should you have any questions concerning this matter, please contact James S. Haklar at (732) 906-6817 or at haklar.james@epa.gov.

Sincerely yours,

Dore LaPosta, Director
Division of Enforcement and Compliance Assistance